

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of: )  
)  
    Ronald L. Mahany et al. )  
)  
Serial No. 10/736,068 )  
)  
Filed: December 15, 2003 )  
)  
For: HIERARCHICAL )  
      COMMUNICATION SYSTEM )  
      PROVIDING INTELLIGENT )  
      DATA, PROGRAM AND )  
      PROCESSING MIGRATION )  
)  
Examiner: Vu, Huy Duy )  
)  
Group Art Unit: 2616 )  
)  
Confirmation No. 4277 )

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Attached with this electronic submission are the following:

- A completed PTO/SB/08A which has one (1) page.
- A copy of each printed reference listed in the PTO/SB/08A form is attached. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Fourteen (14) references are attached.

**FEE DETERMINATION AND PAYMENT**

No fee is believed to be due because:

- The applicant(s) believe(s) that this statement and attachments are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

### **REQUEST FOR CONSIDERATION**

This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

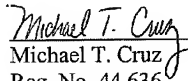
The owner of record of the present application, Broadcom Corporation, is currently involved in a patent infringement action with Qualcomm, Inc., Civil Action No. 05-467, pending in the Central District of California.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned actions. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the attached PTO/SB/08A and return one copy to the applicants to indicate consideration of the attached references.

Respectfully submitted,

Date: June 22, 2006

  
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/736,068
		Filing Date	December 15, 2003
		First Named Inventor	Ronald L. Mahany et al.
		Group Art Unit	2616
Examiner Name	Vu, Huy Duy	Attorney Docket No.	14235US02
Sheet	1	of	1

OTHER ART -- NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Amended Preliminary Invalidity Contentions with Exhibit D, 02/21/2006
	C2	FISHER R., "Dual Mode Mobile Unit For Next Generation Digital Narrow Channel Cellular Telephone System", IEEE 1988, Ch. 2622, pp. 543-547
	C3	EIA/TIA Interim Standard: Cellular System Dual-Mode Mobile station - Base Station Compatibility Standard IS-54, published on or before 05/1990
	C4	KARN P., "Amateur TCP/IP: An Update", ARRL Amateur Radio 7th Computer Networking Conference, 10/01/1988
	C5	KARN P., KA9Q Software, 1991, 01/1992 and 12/1992 versions
	C6	FRANK D., "Transmission of IP Datagrams Over NET/ROM Networks", ARRL Amateur Radio 7th Computer Networking Conference, 10/01/1988
	C7	KARN P., Amateur TCP/IP in 1989, ARRL Amateur Radio 8th Computer Networking Conference, 10/07/1989
	C8	KARN P., "The KA9Q Internet (TCP/IP) Package: A Progress Report", ARRL Amateur Radio 6th Computer Networking Conference, 10/07/1987
	C9	BROCK M., et al., "A High Performance Packet Switch", PS-186 Documentation
	C10	KANTOR B., "Software Design Issues For The PS-186 Advanced Packet Network Controller", ARRL Amateur Radio 6th Computer Networking Conference, 08/29/1987
	C11	RAIKES et al., "NET/ROM State-Of-The-Art Networking Firmware For The TNC-2: Amateur Radio Version 1 Documentation", 05/1987
	C12	KUNZINGER F.F., "Energy Saving Features Of The Autoplex Cellular Telecommunications System", 12th International Telecommunications Energy Conference (INTELEC), pp. 47-54, 10/21-25-1990
	C13	KA9Q NOS Radio Unit, published on or before 12/1992
	C14	PS-186 Advanced Packet Network Controller, published on or before 11/13/1987

EXAMINER SIGNATURE	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1800-786-9199) and select option 2.*